



AMY E. RINALDO
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FARMINGTON HILLS, MICHIGAN 48334

COPY MAILED

OCT 25 2002

OFFICE OF PETITIONS

In re Application of :
Robert Sackstein :
Application No. 09/619,290 : DECISION GRANTING PETITION
Filed: July 19, 2000 : UNDER 37 CFR 1.47(b)
For: SULFATION-INDEPENDENT L- :
SELECTIN OR E-SELECTIN LIGAND :
(HCELL) AND THERAPEUTICS THEREOF :

This is in response to the request for reconsideration of petition under 37 CFR 1.47(b), filed September 30, 2002, (Certificate of Mailing date: September 24, 2002). A request for a three (3) month extension of time was submitted on October 23, 2002.

The petition is granted.

Petitioner has shown that the non-signing inventor has refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the declaration of Amy E. Rinaldo establishes that the inventor was mailed a copy of the application papers as filed, but has refused the request that he sign the declaration. In addition, petitioner has shown that the University of South Florida has a proprietary interest in the above-identified application with the copy of the "Revenue Allocation Agreement" showing that the inventor had an obligation to assign any patent rights to the University of South Florida. The petition fee has been paid. Lastly, petitioner has submitted a declaration in compliance with 37 CFR 1.63 and 1.64 and demonstrated that petitioner has shown that such action is necessary to prevent irreparable damage.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status and the Office of Initial Patent Examination is authorized to:

- (1) accept this application under Rule 1.47(b);

(2) process the application with the inventor being Robert Sackstein and with the indication that the application was filed by the University of South Florida as the party in interest under 35 U.S.C. § 118, inventor authority code 08;, using the Declaration filed on April 13, 2001; and

(3) mail a filing receipt with a filing date of July 19, 2000.

As provided in Rule 1.47(b), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the Declaration. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the above-identified application will be forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries regarding this communication should be directed to the undersigned at (703) 306-9200



Edward J. Tannouse
Senior Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



ROBERT SACKSTEIN
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In re Application of
Robert Sackstein
Application No. 09/619,290
Filed: July 19, 2000
For: SULFATION-INDEPENDENT L-SELECTIN OR E-SELECTIN
LIGAND (HCELL) AND THERAPEUTICS THEREOF

Dear ROBERT SACKSTEIN:

You are named as the sole inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 118 (United States Code), and 37 CFR 1.47(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as the sole inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (703) 306-9200. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1(800) 972-6382 (outside the Washington D.C. area).

Edward J. Tannouse
Senior Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

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